Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/904,364	MAGUIRE, MICHAEL
	Examiner	Art Unit
	Cao (Kevin) Nguyen	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *20 April 2005*.
2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-46* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-46* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Request for Continued Examination

The request filed on 04/20/05 for a Continued Prosecution Application (CPA) under 37

CFR 1.53(d) based on parent Application No. 09/904,364 is acceptable and a RCE has been

established. An action on the RCE follows.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

Claims 1, 8, 13, 24, 31, 36 and 46 are rejected under 35 U.S.C. 112, first paragraph, as

failing to comply with the written description requirement. The claim(s) contains subject matter

which was not described in the specification in such a way as to reasonably convey to one skilled

in the relevant art that the inventor(s), at the time the application was filed, had possession of the

claimed invention. (b) automatically filtering each of the SMS electronic messages stored in the

memory device and (c) automatically displaying the one or more select SMS messages without

requiring user input.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over the software

product Microsoft® Outlook® 2000, (c) 1999 (hereinafter Outlook) and U.S. Patent No.

6,151,507 to Laiho et al. (hereinafter Laiho).

Referring to claims 1 and 24, Outlook discloses a method and wireless device (i.e. laptop

computer) with a viewing screen, processor, and a memory device that stores electronic

messages that have been transmitted or received by the wireless device. See the stored messages

in screenshot 2 (i.e. Message 1, Message 2, and RE: Message 1).

Outlook includes a message software interface module executed by the processor that (a)

displays a current electronic message on the viewing screen (i.e. Message 1), and in response to

the current message (b) automatically filters each of the electronic messages stored in the

memory device to identify one or more select messages meeting a pre-set criteria (see the option

in the drop-down menu to find all messages from the sender in screenshot 2 and screenshot 3

which shows the dialog box that follows with the result of the find/filter, which is a automated

process), and (c) displays the one or more select messages on the viewing screen along with the

current message. Part of each message is shown in screenshot 3, and in screenshot 4, Outlook

shows an option File drop-down menu to open each selected message, which displays each

selected message along with the already open current message.

Outlook does not explicitly teach displaying the one or more selected messages and the

current electronic message as a single thread on the viewing screen, wherein after the current

SMS electronic message is displayed on the viewing screen, the message software interface module is configured to perform the operations of (b) automatically filtering each of the SMS electronic messages stored in the memory device and (c) automatically displaying the one or more select SMS messages without requiring user input. However, Laiho teaches a method of sending textual messages between computer device users, which is similar to Outlook and discloses displaying one or more messages along with a current message as a single thread on a viewing screen, wherein after the current SMS electronic message is displayed on the viewing screen, the message software interface module is configured to perform the operations of (b) automatically filtering each of the SMS electronic messages stored in the memory device and (c) automatically displaying the one or more select SMS messages without requiring user input (i.e. Fig. 3a-3b; and col. 9, lines 25-67). It would have been obvious to one of ordinary skill in the art to display the one or more selected messages and the current message of Outlook as a single message thread to provide the communication context regarding a specific thread/conversation within a single window as shown in Laiho.

Referring to claims 8, 10, 31, and 33, Outlook teaches a wireless device (i.e. laptop) and method with a viewing screen, processor, and a memory device that stores electronic messages that have been transmitted or received by the wireless device. See the stored messages in screenshot 2 (i.e. Message 1, Message 2, and RE: Message 1).

Outlook includes a message software interface module executed by the processor that (a) displays a current electronic message on the viewing screen (i.e. Message 1), (b) automatically locates/finds one more select messages by filtering each of the electronic messages stored in the

memory device to identify stored electronic messages within a pre-set proximity range (i.e. based

on time received, by selecting a message and clicking the received arrow in screenshot 2) in

relation to the current electronic message, and (c) automatically displays the one or more select

messages on the viewing screen along with the current message. Part of each message is shown

in screenshot 2, and in screenshot 4, Outlook shows an option File drop-down menu to open each

selected message, which displays each selected message along with the already open current

message. As another example, see screenshot 7 which shows each stored message grouped

based on a time received range (i.e. within one minute) and a drop-down menu for opening each

message within a range of time (i.e. that corresponds to the current open message).

Outlook teaches that the proximity range is a range of time and not a storage proximity

range based on indexing data. However, Laiho teaches consecutively numbering (with ordinal

values) each message to provide a message ID (col. 10, lines 1-60), which is stored in relation to

the message, just as the time received is stored in relation to the messages in Outlook. Therefore,

it would have been obvious to one of ordinary skill in the art to include a message ID as taught

by Laiho as a field related to message in Outlook, such that a storage proximity range (i.e. range

of numbered message IDs) may be used on top of/in place of the received time range of Outlook

as the filter for identifying stored messages in order to allow the user to find consecutive

messages (both sent and received) based on the message ID/storage field.

Outlook does not explicitly teach displaying the one or more selected messages and the

current electronic message as a single thread on the viewing screen. However, Laiho teaches a

method of sending textual messages between computer device users, which is similar to Outlook

and discloses displaying one or more messages along with a current message as a single thread

on a viewing screen (see col. 9, lines 18-67 and col. 10, lines 1-60). It would have been obvious

to one of ordinary skill in the art to display the one or more selected messages and the current

message of Outlook as a single message thread to provide the communication context regarding

a specific thread/conversation within a single window as shown in Laiho.

Referring to claims 13 and 36, Outlook teaches a wireless device (i.e. laptop) and method

with a viewing screen, a processor, and a memory device that stores electronic messages that

have been transmitted or received by the wireless device. See the stored messages in screenshot

2 (i.e. Message 1, Message 2, and RE: Message 1).

Outlook includes a message software interface module executed by the processor that (a)

displays a current electronic message on the viewing screen (i.e. Message 1), (b) automatically

locates/finds one more select messages by comparing the outside address of each electronic

message stored in the memory device with the current outside address (see the pull-down menu

in screenshot 2, which shows that the pre-set criteria is that the address of the sender matches the

address of the sender of the current message and the "From" field in screenshot 3), and (c)

automatically displays the one or more select messages on the viewing screen along with the

current electronic message. Part of each message is shown in screenshot 3, and in screenshot 4,

Outlook shows an option File drop-down menu to open each selected message, which displays

each selected message along with the already open current message.

Outlook does not explicitly teach displaying the one or more selected messages and the current electronic message as a single thread on the viewing screen. However, Laiho teaches a method of sending textual messages between computer device users, which is similar to Outlook and discloses displaying one or more messages along with a current message as a single thread on a viewing screen (see col. 11, lines 21-67 and col. 12, lines 1-65). It would have been obvious to one of ordinary skill in the art to display the one or more selected messages and the current message of Outlook as a single message thread to provide the communication context regarding a specific thread/conversation within a single window as shown in Laiho.

Referring to claim 46, Outlook teaches a method for displaying a current electronic message on a wireless device (i.e. laptop) in context with one or more of a plurality of stored electronic messages. See the stored messages in screenshot 2 (i.e. Message 1, Message 2, and RE: Message 1).

Outlook sets an electronic message being accessed by a user as the current electronic message (i.e. double-clicks on a message).

Outlook determines if the current electronic message is of an incoming type or an outgoing type (i.e. sends the message to the Inbox or Sent box).

If the current message is of the incoming type, Outlook identifies a current sender address for the current electronic message (i.e. the address in the From field).

If the current message is of the outgoing type, Outlook identifies a current receiver address for the current electronic message (i.e. the address in the To field).

Outlook identifies current indexing data for the current electronic message (i.e. time received).

Outlook identifies a sender address and a receiver address for each stored electronic message (i.e. the address in the From and To field).

Outlook determines if each stored electronic message is of an incoming type or an outgoing type (i.e. sends the message to the Inbox or Sent box).

If the current electronic message is of the incoming type (i.e. within the Inbox as in screenshot 2), then Outlook automatically identifies (i.e. the identification process is automated) stored electronic messages having a matching address by comparing the current sender address with both the receiver and sender addresses of each electronic message stored in the memory device, which includes the sender address of each stored incoming message and the receiver address of each stored outgoing message. See screenshot 3, which shows the results of finding all messages from the sender. Notice how the messages listed at the bottom of screenshot 3 include both Sent and received (Inbox) messages. Also, screenshot 3 shows "From" and "Sent To" options for comparing the sender and receiver, respectively, of each message.

If the current electronic message is of the outgoing type (i.e. within the Sent box), then Outlook automatically identifies stored electronic messages having a matching address by comparing the current receiver address with both the receiver and sender address of each electronic message stored in the memory device. See screenshot 3, which provides the capability to input the current receiver address and search both the receiver (Sent To) and sender (From) address.

Outlook automatically identifies indexing data for each stored electronic message having

a matching address (i.e. time received in screenshot 3).

Outlook teaches identifying each message related to a current message. See screenshot 8,

which shows an option above the "From:" field to find all related messages. Outlook teaches a

proximity range and index based on time (i.e. time received) and not a storage proximity range

based on indexing data. However, Laiho teaches consecutively numbering (with ordinal values)

each message to provide a message ID (figures 1b-3b), which is stored in relation to the message,

just as the time received is stored in relation to the messages in Outlook. Therefore, it would

have been obvious to one of ordinary skill in the art to include a message ID as taught by Laiho

as a field related to message in Outlook, such that a storage proximity range (i.e. range of

numbered message IDs) may be used on top of/in place of the received time range of Outlook as

the filter for identifying stored messages in order to allow the user to find consecutive messages

(both sent and received) based on the message ID/storage field.

Outlook teaches automatically appending each stored electronic message to a related

message list if the stored electronic message has a matching address and has indexing data that

falls within a pre-set range (see the list of messages at the bottom of screenshots 3 and 6). Laiho

teaches that the range may be a storage proximity range, *supra*.

Outlook displays the current electronic message on a viewing screen along with each

electronic message appended to the related message list. Part of each message is shown in

screenshot 3, and in screenshot 4, Outlook shows an option File drop-down menu to open each

selected message, which displays each selected message along with the already open current message.

Outlook does not explicitly teach displaying the one or more selected messages and the current electronic message as a single thread on the viewing screen. However, Laiho teaches a method of sending textual messages between computer device users, which is similar to Outlook and discloses displaying one or more messages along with a current message as a single thread on a viewing screen (see col. 9, lines 18-67 and col. 10, lines 1-60). It would have been obvious to one of ordinary skill in the art to display the one or more selected messages and the current message of Outlook as a single message thread to provide the communication context regarding a specific thread/conversation within a single window as shown in Laiho.

Referring to claims 2 and 25, the pre-set criteria for the one or more select messages is configurable by a user of Outlook (on the wireless device, i.e. laptop). See screenshot 3, which shows several user configurable options filtering the messages, such as who the message is from, whom it is to, and within what time period it was received.

Referring to claims 3 and 26, the pre-set criteria of Outlook is an address matching condition between an outside address of the one or more select messages and an outside address of the current electronic message. See the pull-down menu in screenshot 2, which shows that the pre-set criteria is that the address of the sender matches the address of the sender of the current message.

Referring to claims 4 and 27, the pre-set criteria of Outlook is a time-frame selected by a user of the wireless device during which the one or more select messages were transmitted or received by the wireless device. See screenshot 6, which shows that the Advanced Find dialog box may filter the messages based on a time frame (selected from the displayed drop-down menu).

Referring to claims 5 and 28, Outlook shows that the pre-set criteria may be a number of different criterion (i.e. sender, receiver, messages that contain a keyword, or messages received within a range of time) stored and associated with each message and that the range of each criterion may be selected by a user. See screenshot 3. However, Outlook does not explicitly teach that the pre-set criteria is a storage proximity range for the one or more select messages in relation to the current electronic message. Laiho teaches consecutively numbering each message to provide a message ID (figures 6c-8g), which is stored in relation to the message, just as the time received, sender, recipient, etc. are stored in relation to the messages in Outlook. Therefore, it would have been obvious to one of ordinary skill in the art to include a message ID as taught by Laiho as a field related to message in Outlook, such that a storage proximity range (i.e. range of numbered message IDs) is a pre-set criteria in Outlook, just as a range of time received may be a pre-set criteria, in order to allow the user to find consecutive messages (both sent and received) based on the message ID/storage field.

Referring to claims 6 and 29, the pre-set criteria of Outlook includes (a) an outside address of the current electronic message (i.e. see the pull-down menu in screenshot 2, which shows that the pre-set criteria includes that the address of the sender matches the address of the sender of the current message) and (b) a time-frame selected by a user of the wireless device

during which the one or more select messages were transmitted or received by the wireless device. See screenshot 6, which shows that the Advanced Find dialog box may filter the messages based on a time frame (selected from the displayed drop-down menu).

Referring to claims 7 and 30, Outlook shows that the pre-set criteria may be a number of different combinable criterion (i.e. sender, receiver, messages that contain a keyword, or messages received within a range of time) stored and associated with each message and that the range of each criterion may be selected by a user. See screenshot 3. This includes an outside address for the one or more select messages that matches an outside address of the current electronic message. See the pull-down menu in screenshot 2, which shows that the pre-set criteria is that the address of the sender matches the address of the sender of the current message. Also, see the "From" button in screenshot 3.

However, Outlook does not explicitly teach that the pre-set criteria is a storage proximity range for the one or more select messages in relation to the current electronic message. Laiho teaches consecutively numbering each message to provide a message ID (figures 6c-8g), which is stored in relation to the message, just as the time received, sender, recipient, etc. are stored in relation to the messages in Outlook. Therefore, it would have been obvious to one of ordinary skill in the art to include a message ID as taught by Laiho as a field related to message in Outlook, such that a storage proximity range (i.e. range of numbered message IDs) is a pre-set criteria in Outlook, just as a range of time received may be a pre-set criteria, in order to allow the user to find consecutive messages (both sent and received) based on the message ID/storage field.

Referring to claims 9 and 32, screenshots 3 and 6 of Outlook show input boxes where a user may configure filter criteria. Laiho teaches that the proximity range may be a filter criterion, *supra*.

Referring to claim 34, the ordinal values of Outlook and Laiho are assigned when electronic messages are stored, and if the current electronic message has not been stored, then it is assigned a next available ordinal value (consecutive number). See Laiho at col. 23, lines13-59).

Referring to claims 11-12 and 35, Outlook teaches indexing data comprising a time stamp that indicates the date and time the stored electronic messages were transmitted or received by the wireless device. See the right side of screenshot 2 under "Received".

Referring to claim 37, the current outside address in Outlook is displayed on the viewing screen. See the "From" field in screenshot 2.

Referring to claims 14 and 38, each electronic message stored in the memory device of Outlook includes a sender address (To:) and a receiver address (From:), one of which is the outside address, and the current electronic message includes a current sender address and a current receiver address, one of which is the current outside address (i.e. From).

Referring to claims 15-16 and 39-40, the message software interface module of Outlook determines whether the current electronic message is of an incoming type (i.e. placed in the Inbox) or an outgoing type (i.e. placed in the Sent box) and whether each stored electronic message is of an incoming type (Inbox) or an outgoing type (Sent box).

If the current electronic message is of the incoming type (i.e. within the Inbox as in screenshot 2), then the message software module interface module locates the one or more select

electronic messages by comparing the current sender address with both the receiver and sender

addresses of each electronic message stored in the memory device. See screenshot 3, which

shows the results of finding all messages from the sender. Notice how the messages listed at the

bottom of screenshot 3 include both Sent and received (Inbox) messages. Also, screenshot 3

shows "From" and "Sent To" options for comparing the sender and receiver, respectively, of

each message.

If the current electronic message is of the outgoing type (i.e. within the Sent box), then

the software interface module locates the one or more select messages by comparing the current

receiver address with both the receiver and sender address of each electronic message stored in

the memory device. See screenshot 3, which provides the capability to input the current receiver

address and search both the receiver (Sent To) and sender (From) address.

Referring to claim 41, the method of Outlook appends to a related message list (i.e.

bottom of screenshot 3) each of the stored electronic messages in which the outside address

matches the current outside address.

Referring to claims 17, 19, 42, and 44, Outlook teaches a proximity range and index

based on time (i.e. time received) and not a storage proximity range based on indexing data.

However, Laiho teaches consecutively numbering (with ordinal values) each message to provide

a message ID (see figures 6a-8g), which is stored in relation to the message, just as the time

received is stored in relation to the messages in Outlook. Therefore, it would have been obvious

to one of ordinary skill in the art to include a message ID as taught by Laiho as a field related to

message in Outlook, such that a storage proximity range (i.e. range of numbered message IDs) may be used on top of/in place of the received time range of Outlook as the filter for identifying stored messages in order to allow the user to find consecutive messages (both sent and received) based on the message ID/storage field.

Referring to claims 18 and 43, screenshots 3 and 6 of Outlook show input boxes where a user may configure filter criteria. Laiho teaches that the proximity range may be a filter criterion, *supra.*

Referring to claims 20-21 and 45, Outlook teaches indexing data comprising a time stamp that indicates the date and time the stored electronic messages were transmitted or received by the wireless device. See the right side of screenshot 2 under "Received".

Referring to claim 22, the message software interface module of Outlook further limits the one or more select electronic messages by comparing one or more keywords selected by a user of the wireless device with each electronic message stored in the memory. See screenshot 3, which shows an option for "Search for the word(s)".

Referring to claim 23, the message software interface of Outlook locates the one or more select electronic messages by instead comparing one or more keywords selected by a user with each electronic message stored in the memory device. See screenshot 3, which shows an option for "Search for the word(s)". The Advanced Find dialog box may also be accessed through the Tools menu bar without already filtering the messages.
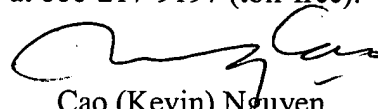
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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07/07/05